

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

ROBERT FRANCIS LOPEZ ACEVEDO

DEBTOR

CASE NO 16-07441-MCF

CHAPTER 13

**NOTICE OF FILING OF AMENDED CHAPTER 13 PLAN
AND CERTIFICATE OF SERVICE**

TO THE HONORABLE COURT:

NOW COMES, ROBERT FRANCIS LOPEZ ACEVEDO, debtor in the above captioned case, through the undersigned attorney, and very respectfully states and prays:

1. The debtor is hereby submitting a proposed amended Plan, dated November 16, 2016, herewith and attached to this motion.
2. This proposed amended Plan is filed to amend the amount to be paid through the Plan to secured creditors Primera Cooperativa and Scotiabank de Puerto Rico as per proof of claims 2-3 & 7-1; and to increase the Plan base in order to cure the “insufficiently funded” issue raised by the Trustee in his unfavorable report (docket #13).

WHEREFORE debtor respectfully requests the confirmation of the requested amended Plan, dated November 16, 2016.

I CERTIFY that on this same date a copy of this notice was sent via electronically with the Clerk of the Court using CM/ECF systems which will send notifications of such to the Chapter 13 Trustee; and also certify that I have mailed by United States Postal Service copy of this motion to the following non CM/ECF participants: debtor in the above captioned case, and to all creditors and parties in interest appearing in the master address list, hereby attached.

RESPECTFULLY SUBMITTED. In San Juan, Puerto Rico, this 16th day of November, 2016.

/s/ Roberto A. Figueroa Colón

ROBERTO A. FIGUEROA COLON
USDC #300105
FIGUEROA & SERRANO, PSC
PO BOX 1635
GUAYNABO PR 00970-1635
TEL. NO. (787) 744-7699

Document Page 2 of 4
United States Bankruptcy Court
District of Puerto Rico, San Juan Division

IN RE:

Case No. **3:16-bk-7441****LOPEZ ACEVEDO, ROBERT FRANCIS**Chapter **13**

Debtor(s)

CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☐ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: _____ <input checked="" type="checkbox"/> AMENDED PLAN DATED: 11/16/2016 <input type="checkbox"/> PRE <input type="checkbox"/> POST-CONFIRMATION Filed by: <input checked="" type="checkbox"/> Debtor <input type="checkbox"/> Trustee <input type="checkbox"/> Other	
I. PAYMENT PLAN SCHEDULE \$ 575.00 x 12 = \$ 6,900.00 \$ 640.00 x 48 = \$ 30,720.00 \$ _____ x _____ = \$ _____ \$ _____ x _____ = \$ _____ \$ _____ x _____ = \$ _____ <p style="text-align: right;">TOTAL: \$ 37,620.00</p> Additional Payments: \$ _____ to be paid as a LUMP SUM within _____ with proceeds to come from: <input type="checkbox"/> Sale of Property identified as follows: _____ <input type="checkbox"/> Other: _____ Periodic Payments to be made other than, and in addition to the above: \$ _____ x _____ = \$ _____	II. DISBURSEMENT SCHEDULE A. ADEQUATE PROTECTION PAYMENTS OR _____ \$ _____ B. SECURED CLAIMS: <input type="checkbox"/> Debtor represents no secured claims. <input checked="" type="checkbox"/> Creditors having secured claims will retain their liens and shall be paid as follows: 1. <input checked="" type="checkbox"/> Trustee pays secured ARREARS: Cr. Scotiabank de Puert Cr. _____ # 0060 # _____ \$ 8,394.76 \$ _____ 2. <input checked="" type="checkbox"/> Trustee pays IN FULL Secured Claims: Cr. Primera Cooperativa Cr. _____ # 7114 # _____ \$ 20,841.41 \$ _____ 3. <input type="checkbox"/> Trustee pays VALUE OF COLLATERAL: Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 4. <input type="checkbox"/> Debtor SURRENDERS COLLATERAL to Lien Holder: _____ 5. <input type="checkbox"/> Other: _____ 6. <input checked="" type="checkbox"/> Debtor otherwise maintains regular payments directly to: Scotiabank de Puert C. PRIORITIES: The Trustee shall pay priorities in accordance with the law. 11 U.S.C. § 507 and § 1322(a)(2) D. UNSECURED CLAIMS: Plan <input type="checkbox"/> Classifies <input checked="" type="checkbox"/> Does not Classify Claims. 1. (a) Class A: <input type="checkbox"/> Co-debtor Claims / <input type="checkbox"/> Other: _____ <input type="checkbox"/> Paid 100% / <input type="checkbox"/> Other: _____ Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 2. Unsecured Claims otherwise receive PRO-RATA disbursements. OTHER PROVISIONS: <i>(Executory contracts; payment of interest to unsecureds, etc.)</i> * Trustee will pay Attorney's fees before any claim and after administrative expenses; once the attorney's fees are paid in full the Trustee will pay secured creditor Primera Cooperativa (POC 2-3) ahead any other secured claim. * Late filed claims filed by creditors will receive no distribution. * Debtor reserves the right to object claims after plan confirmation. * Debtor to provide auto insurance (Eastern America Insurance Company) upon maturity to Primera Cooperativa through Chapter 13 Plan. * Tax refunds will be devoted each year, as periodic payments, to the plan's funding until plan completion. The plan shall be deemed modified by such amount, without the need of further Court order. The debtor(s) shall seek court's authorization prior any use of funds. * Debtor consents to the lift of stay in favor of secured creditor Empresas Berrios; Trustee to make no disbursements to secured creditor Empresas Berrios
PROPOSED BASE: \$ 37,620.00	
III. ATTORNEY'S FEES (Treated as § 507 Priorities) Outstanding balance as per Rule 2016(b) Fee Disclosure Statement: \$ 2,523.00	
Signed: <u>/s/ ROBERT FRANCIS LOPEZ ACEVEDO</u> Debtor _____ Joint Debtor	

Attorney for Debtor **Figueroa & Serrano, PSC**Phone: **(787) 744-7699**

Label Matrix for local noticing
0104-3
Case 16-07441-MCF13
District of Puerto Rico
Old San Juan
Wed Nov 16 12:05:17 AST 2016

EMPRESAS BERRIOS INC.
C/O JESSENIA RAMOS TALAVERA, ESQ.
PO BOX 306
CAGUAS, PR 00726-0306

SCOTIABANK DE PUERTO RICO
FERNANDEZ COLLINS CUYAR & PLA
PO BOX 9023905
SAN JUAN, PR 00902-3905

US Bankruptcy Court District of P.R.
Jose V Toledo Fed Bldg & US Courthouse
300 Recinto Sur Street, Room 109
San Juan, PR 00901-1964

AEE
PO Box 363508
San Juan, PR 00936-3508

CS Yabucoa/PR Medical Emergency Group
Billing Department
100 Calle Saturnino Rodriguez
Yabucoa, PR 00767-3916

Capl/Bestby
PO Box 6497
Sioux Falls, SD 57117-6497

Claro
PO Box 360998
San Juan, PR 00936-0998

DTOP
PO Box 41269
San Juan, PR 00940-1269

(p)DIRECTV LLC
ATTN BANKRUPTCIES
PO BOX 6550
GREENWOOD VILLAGE CO 80155-6550

Empresas Berrios
PO Box 674
Cidra, PR 00739-0674

Hospital Metropolitano Dr Pila
PO Box 1952
Humacao, PR 00792

Internal Revenue Service
PO Box 7346
Philadelphia, PA 19101-7346

(p)JEFFERSON CAPITAL SYSTEMS LLC
PO BOX 7999
SAINT CLOUD MN 56302-7999

NCO Financial Systems
PO Box 5630
Wilmington, DE 19808-0630

(p)PORTFOLIO RECOVERY ASSOCIATES LLC
PO BOX 41067
NORFOLK VA 23541-1067

Primera Cooperativa
PO Box 25039
San Juan, PR 00928-5039

Scotiabank de Puerto Rico
PO Box 363368
San Juan, PR 00936-3368

Synch/JC Penny
PO Box 103104
Roswell, GA 30076-9104

Synch/Pep Boys
PO Box 965036
Orlando, FL 32896-5036

Synchrony Bank
c/o of Recovery Management Systems Corp
25 S.E. 2nd Avenue, Suite 1120
Miami, FL 33131-1605

Synchrony Bank/Paypal Smart
Bankruptcy
PO Box 103104
Roswell, GA 30076-9104

Synchrony Bank/Sams
Bankruptcy
PO Box 103104
Roswell, GA 30076-9104

c/o Recovery Management Systems
25 SE 2nd Ave Suite 1120
Miami, FL 33131-1605

ALEJANDRO OLIVERAS RIVERA
ALEJANDRO OLIVERAS CHAPTER 13 TRUS
PO BOX 9024062
SAN JUAN, PR 00902-4062

MONSITA LECAROS ARRIBAS
OFFICE OF THE US TRUSTEE (UST)
OCHOA BUILDING
500 TANCA STREET SUITE 301
SAN JUAN, PR 00901

ROBERT FRANCIS LOPEZ ACEVEDO
RR 1 BOX 32333
CIDRA, PR 00739-9721

ROBERTO ARISTIDES FIGUEROA-COLON
FIGUEROA & SERRANO, PSC
PO BOX 1635
GUAYNABO, PR 00970-1635

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Direct TV
PO Box 6550
Englewood, CO 80155-6550

Jefferson Capital Systems LLC
PO Box 7999
Saint Cloud, MN 56302-7999

Portfolio Recovery Associates, LLC
POB 12914
Norfolk VA 23541

End of Label Matrix
Mailable recipients 27
Bypassed recipients 0
Total 27